



Reprinted  
February 5, 2002

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## HOUSE BILL No. 1073

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DIGEST OF HB 1073 (Updated February 4, 2002 3:56 PM - DI 106)

**Citations Affected:** Noncode.

**Synopsis:** Establishes the commission on juvenile law to recommend changes in juvenile law by January 1, 2003.

**Effective:** Upon passage; July 1, 2002.

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**Avery, Young D, Herrell, Bardon**

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January 8, 2002, read first time and referred to Committee on Judiciary.  
January 30, 2002, amended, reported — Do Pass.  
February 4, 2002, read second time, amended, ordered engrossed.

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HB 1073—LS 6612/DI 106+



Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## HOUSE BILL No. 1073

A BILL FOR AN ACT concerning family law and juvenile law.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. [EFFECTIVE JULY 1, 2002] (a) **As used in this**  
2 **section, "commission" refers to the commission on juvenile law**  
3 **established by this SECTION.**

4       **(b) The commission consists of the following members:**

5           **(1) Two (2) members of the house of representatives, who may**  
6 **not be members of the same political party, to be appointed by**  
7 **the speaker of the house of representatives.**

8           **(2) Two (2) members of the senate, who may not be members**  
9 **of the same political party, to be appointed by the president**  
10 **pro tempore of the senate.**

11           **(3) One (1) prosecuting attorney, to be appointed by the**  
12 **president pro tempore of the senate.**

13           **(4) One (1) juvenile public defender, to be appointed by the**  
14 **speaker of the house of representatives.**

15           **(5) Two (2) judges or magistrates having responsibility for**  
16 **juvenile law, to be appointed by the chief justice.**

17           **(6) One (1) court appointed special advocate (CASA) or**  
18 **guardian ad litem, to be appointed by the speaker of the house**

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of representatives.

(7) The secretary of family and social services, or the secretary's designee.

(8) One (1) representative of a probation department, to be appointed by the president pro tempore of the senate.

(9) One (1) representative of a law enforcement agency, to be appointed by the president pro tempore of the senate.

(10) One (1) attorney licensed to practice law in Indiana who is a member of the Indiana State Bar Association's Committee on Civil Rights for Children, to be appointed by the speaker of the house of representatives.

(11) The commissioner of the department of correction, or the commissioner's designee.

(12) One (1) representative of the Indiana judicial center, to be appointed by the chief justice.

(13) The director of the Indiana criminal justice institute, or the director's designee.

(c) The governor shall appoint one (1) of the commission members to serve as chairperson.

(d) There is established the commission on juvenile law. The commission shall recommend changes in juvenile law by January 1, 2003.

(e) The Indiana criminal justice institute shall staff the commission and provide administrative support. In addition, the legislative services agency shall provide support for bill drafting and fiscal analysis upon request of a legislative member of the commission.

(f) Except as provided in subsection (i), the expenses of the commission shall be paid by the Indiana criminal justice institute from the commission on juvenile law account.

(g) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(h) Each member of the commission who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection



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1 with the member's duties as provided in the state policies and  
2 procedures established by the Indiana department of  
3 administration and approved by the budget agency.

4 (i) Each member of the commission who is a member of the  
5 general assembly is entitled to receive the same per diem, mileage,  
6 and travel allowances paid to legislative members of interim study  
7 committees established by the legislative council. Per diem,  
8 mileage, and travel allowances paid under this subsection shall be  
9 paid from appropriations made to the legislative council or the  
10 legislative services agency.

11 (j) The affirmative votes of a majority of the members  
12 appointed to the commission are required for the commission to  
13 take action on any measure, including final reports.

14 (k) This SECTION expires January 1, 2003.

15 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) There is created  
16 the commission on juvenile law account within the state general  
17 fund. The commission on juvenile law account consists of  
18 appropriations made by the general assembly and donations.

19 (b) This SECTION expires January 1, 2003.

20 SECTION 3. An emergency is declared for this act.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1073, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning family law and juvenile law and to make an appropriation.

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 37.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1073 as introduced.)

STURTZ, Chair

Committee Vote: yeas 9, nays 0.

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## HOUSE MOTION

Mr. Speaker: I move that House Bill 1073 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning family law and juvenile law.

Page 1, line 5, after "representatives," insert "**who may not be members of the same political party,**".

Page 1, line 7, "senate," insert "**who may not be members of the same political party,**".

Page 1, line 10, delete "speaker of the house of representatives" and insert "**president pro tempore of the senate**".

Page 1, line 12, delete "president pro tempore of the senate" and insert "**speaker of the house of representatives**".

Page 1, line 13, delete "Three (3)" and insert "**Two (2)**".

Page 1, line 14, after "law" insert ", **to be appointed by the chief justice**".

Page 1, line 14, delete "The chief justice shall recommend three (3)".

Page 1, delete lines 15 through 17.

Page 2, delete lines 1 through 3.

Page 2, line 5, delete "president pro" and insert "**speaker of the house of representatives.**".

Page 2, delete line 6.

Page 2, delete lines 17 through 20.

Page 2, line 7, delete "the".

Page 2, line 7, delete "agency" and insert ",".

Page 2, line 8, delete "(FSSA)".

Page 2, line 14, delete "state bar association's committee" and insert "**State Bar Association's Committee**".

Page 2, line 15, delete "civil rights for children," and insert "**Civil Rights for Children,**".

Page 2, line 21, delete "(13)" and insert "**(11)**".

Page 2, line 23, delete "(14)" and insert "**(12)**".

Page 2, delete lines 25 through 33.

Page 2, line 34, delete "(18)" and insert "**(13)**".

Page 3, line 6, delete "Fund" and insert "account".

Page 3, delete lines 37 through 42.

Page 4, delete lines 1 through 2.

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Page 4, line 3, delete "(c)" and insert "**(b)**".

(Reference is to HB 1073 as printed January 31, 2002.)

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